Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20054

In the Matter of	)	
	)	
Advanced Television Systems and Their Impact Upon the Existing Television Broadcast Service	)	MM Docket No. 87-268

To: The Commission

PETITION FOR CLARIFICATION AND RECONSIDERATION BY LEE ENTERPRISES, INCORPORATED AND NEW MEXICO BROADCASTING COMPANY, INC.

Lee Enterprises, Incorporated (Lee) and its subsidiary, New Mexico Broadcasting Company, Inc. (NMBC), by their attorneys, hereby seek clarification and reconsideration of the Sixth Report and Order in this proceeding.[1]

Lee is the controlling owner of nine full-service television stations and seven satellite TV stations, and therefore has a significant interest in the FCC rules adopted for allotment and assignment of digital television (DTV) channels. NMBC is the licensee of television station KREZ-TV, Durango, CO. KREZ-TV seeks particular relief herein as set forth below.

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[1] Sixth Report and Order, MM Docket No. 87-268, FCC 97-115, (rel. April 21, 1997).

A. Association for Maximum Service Television, Inc. Petition for Clarification and Partial Reconsideration

Lee is a member of the Association for Maximum Service Television, Inc. (MSTV), and it strongly supports MSTV's Petition for Clarification and Partial Reconsideration of the Fifth and Sixth Reports and Orders to be filed herein (MSTV Petition).

B. Channels 2-6 Core Status

Since seven of Lee's stations (including KREZ-TV) operate in the channel 2-6 band, and the DTV channel alternatives are far less efficient in terms of coverage, Lee and NMBC have a particular interest in MSTV's contention that the FCC should eliminate the transition uncertainty created by postponement of a final determination concerning the core status of these channels. The propagation characteristics of these low band channels assure wide areas of service, which clearly advances the public interest. Conjecture about technical suitability of these channels is an inadequate ground for casting the core status of these channels in limbo for an indefinite period.

In this regard, Lee and NMBC also specifically endorse and adopt the arguments affecting the desired treatment of channel 2-6 core status as set forth in the Petition for Reconsideration filed on May 29, 1997 by "Certain Channel 2-6 Licensees." These Licensees point out the practical problems created by leaving the status of

channels 2-6 for future resolution. The over 300 stations affected by this postponement face the unwelcome prospect of possibly having to operate after the DTV transition on channels that would be materially unsuitable. FCC irresolution on this issue impairs necessary planning for the new DTV service because these licensees, unlike those in other channel bands, must invest cautiously in their DTV facilities which may ultimately have to be abandoned.

C. KREZ-TV Power Reduction

The Commission's DTV allocation for station KREZ-TV is channel 17, with an assigned power of 50 kW. However, based on an engineering study conducted by the firm of Hammett & Edison (attached), it appears that the extreme roughness of the Rocky Mountains produces a replication pattern for KREZ-TV that would cause the station's power to be reduced to a mere 3.4 kW in certain directions.

In the opinion of its consultants, KREZ-TV would be unable, as a practical matter, to build the directional replication pattern shown in Figure 1 of their statement and would be required to operate, if omnidirectional, at no more than 3.4 kW to stay within that pattern. However, since KREZ-TV is not short-spaced to any authorized or proposed NTSC operation or any DTV allotment, NMBC's consultants recommend that 50 kW omnidirectional DTV operation by KREZ-TV should be permitted. NMBC seeks

clarification that omnidirectional operation at the DTV class minimum ERP of 50 kW would be permitted for KREZ-TV, because of the absence of any short-spaced stations.

Respectfully submitted,

LEE ENTERPRISES, INCORPORATED

by Peter D O'Connell

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June 13, 1997

Its Attorneys

Station KREZ-TV
Channels N6/D17
Durango, Colorado

Engineering Exhibit
in Support of
Reconsideration Petition

June 11, 1997

HAMMETT & EDISON, INC.
CONSULTING ENGINEERS
SAN FRANCISCO

Station KREZ-TV • Channels N6/D17 • Durango, Colorado

Statement of Dane E. Ericksen, Consulting Engineer

The firm of Hammett & Edison, Inc., Consulting Engineers, has been retained by New Mexico Broadcasting Company, Inc., licensee of Station KREZ-TV, NTSC Channel 6, Durango, Colorado, to prepare an engineering exhibit in support of a Petition for Reconsideration to the Sixth Report and Order to MM Docket 87-268 ("DTV Table of Allotments") regarding the DTV replication pattern assigned to KREZ-TV.

KREZ-TV Replication Pattern is Unbuildable

The existing KREZ-TV NTSC antenna pattern (which is omnidirectional) and the DTV Channel 17 replication pattern for KREZ-TV are shown in the attached Figure 1. Although the Sixth Report and Order assigned KREZ-TV a DTV power of 50 kW, the replication pattern reduces that power to a mere 3.4 kW between 40°T and 44°T. Because it would most likely not be possible to build a directional antenna that has a 15°-wide lobe at 23°T, as a practical matter this means that KREZ-TV would be limited to just 3.4 kW of DTV effective radiated power towards Durango, its principal community. In my professional opinion, this 12 dB penalty due to what appears to be an artifact caused by a combination of negative and positive average KREZ-TV terrains (which vary from -176 m to +401 m, due to the extreme roughness of the Rocky Mountains) is unwarranted, and for such cases the replication pattern appears unduly restrictive.

KREZ-TV Has No Short-Spacings

However, since DTV Channel 17 at the KREZ-TV site has no short-spacing to any NTSC station construction permit, or pending application, or to any DTV allotment, it would appear that omnidirectional DTV operation at the UHF DTV class minimum ERP of 50 kW should be permitted for KREZ-TV. Accordingly, clarification is requested that omnidirectional DTV operation would be permitted for KREZ-TV, because of the lack of any short-spaced stations.

List of Figures

In carrying out these engineering studies, the following attached figure was prepared under my direct supervision:

1. KREZ-TV NTSC antenna pattern and DTV replication pattern.

Dane E. Ericksen, P.E.

REGISTERED PROFESSIONAL ENGINEER
DANE E. ERICKSEN
No. 11654
Exp. 9-30-00
ELECTRICAL
STATE OF CALIFORNIA

June 11, 1997

Affidavit

State of California
County of Sonoma | ss:

Dane E. Ericksen, being first duly sworn upon oath, deposes and says:

1. That he is a qualified Registered Professional Engineer, holds California Registration No. E-11654, which expires on September 30, 2000, and is employed by the firm of Hammett & Edison, Inc., Consulting Engineers, with offices located near the city of San Francisco, California,

2. That he graduated from California State University, Chico, in 1970, with a Bachelor of Science Degree in Electrical Engineering, was an employee of the Field Operations Bureau of the Federal Communications Commission from 1970 to 1982, with specialization in the areas of FM and television broadcast stations and cable television systems, and has been associated with the firm of Hammett & Edison, Inc., since October 1982,

3. That the firm of Hammett & Edison, Inc., Consulting Engineers, has been retained by New Mexico Broadcasting Company, Inc., licensee of Station KREZ-TV, NTSC Channel 6, Durango, Colorado, to prepare an engineering exhibit in support of a Petition for Reconsideration to the Sixth Report and Order to MM Docket 87-268 ("DTV Table of Allotments) regarding the DTV replication pattern assigned to KREZ-TV,

4. That such engineering work has been carried out by him or under his direction and that the results thereof are attached hereto and form a part of this affidavit, and

5. That the foregoing statement and the report regarding the aforementioned engineering work are true and correct of his own knowledge except such statements made therein on information and belief and, as to such statements, he believes them to be true.

Dane E. Ericksen, P.E.

Subscribed and sworn to before me this 11th day of June, 1997

LINDA SIEMER
Comm. # 1099501
NOTARY PUBLIC - CALIFORNIA
Sonoma County
My Comm. Expires June 2, 2000

Linda Siemer

Station KREZ-TV • Channels N6/D17 • Durango, Colorado

NTSC and DTV Antenna Patterns